

1 Megan A. Richmond (SBN 170753)  
2 **MEGAN A. RICHMOND, APC**  
3 655 West Broadway, Suite 1700  
4 San Diego, California 92101  
5 Telephone: (617) 237-3490  
6 Email: [megan@therichmondfirm.com](mailto:megan@therichmondfirm.com)

7 C. Brooks Cutter (SBN 121407)  
8 John R. Parker, Jr. (SBN 257761)  
9 Celine E. Cutter (SBN 312622)  
10 **CUTTER LAW, P.C.**  
11 401 Watt Avenue  
12 Sacramento, CA 95864  
13 Telephone: (916) 290-9440  
14 Facsimile: (916) 588-9330  
15 Email: [bcutter@cutterlaw.com](mailto:bcutter@cutterlaw.com);  
16 Email: [jparker@cutterlaw.com](mailto:jparker@cutterlaw.com);  
17 Email: [ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)

18 Moira Kamgar (SBN 141383)  
19 **MOIRA KAMGAR APC**  
20 2901 W Coast Hwy, Ste. 200  
21 Newport Beach, CA 92663  
22 Telephone: (949) 422-5554  
23 Email: [moirakamgar@gmail.com](mailto:moirakamgar@gmail.com)

24 Attorneys for Plaintiff

25 **UNITED STATES DISTRICT COURT**  
26 **CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION**

27 SHANE BUNDY,  
28 Plaintiff,

vs.

COUNTY OF RIVERSIDE, a legal  
subdivision of the State of California,  
and DOES 1-10, inclusive,

Defendants.

Case No.

**COMPLAINT FOR VIOLATION OF  
FAIR LABOR STANDARDS ACT  
(29 U.S.C. § 207)  
AND DEMAND FOR JURY TRIAL**



1 2022 for this Plaintiff. Plaintiff's claim was accordingly tolled during the pendency  
2 of that matter through July 11, 2022.

3 6. Defendant COUNTY OF RIVERSIDE (hereinafter "Defendant") is a  
4 legal subdivision of the State of California, pursuant to Article 11, Section 1(a) of  
5 the California Constitution and Cal. Gov. Code § 23002.

6 7. Defendants DOES 1-10, inclusive, are sued herein under fictitious  
7 names. Their true names and capacities are unknown to Plaintiff. When their true  
8 names and capacities are ascertained, Plaintiff will amend this Complaint by  
9 inserting their true names and capacities herein. Plaintiff is informed and believes,  
10 and thereon alleges, that each of these fictitiously named defendants is responsible  
11 in some manner for the occurrences alleged herein and that the damages alleged  
12 herein were caused by such defendants.

### 13 **GENERAL ALLEGATIONS**

14 8. Throughout Plaintiff's employment with Defendant, Defendant was  
15 required under the FLSA to compensate Plaintiff for all hours worked, along with a  
16 time-and-a-half premium for all time worked in excess of forty (40) hours per week.  
17 Defendant failed to compensate Plaintiff for all hours worked as required by the  
18 FLSA.

19 9. Plaintiff is informed and believes, and therefore alleges, that at all  
20 times herein mentioned, Defendant was advised by skilled and competent  
21 employees, advisors, lawyers and other professionals knowledgeable about the  
22 requirements of the FLSA and proper procedures for the payment of overtime  
23 compensation to non-exempt employees. Plaintiff thereon alleges that Defendant  
24 knew it had a duty to compensate Plaintiff for all hours worked, including overtime,  
25 at rates required by the FLSA, and that Defendant willfully, knowingly and  
26 intentionally failed and refused to do so.



1           17. Defendant's unlawful conduct was repeated and consistent throughout  
2 Plaintiff's entire period of employment as a CSD Social Worker. Upon information  
3 and belief, Defendant's policies and procedures were not FLSA compliant.

4           18. Upon information and belief, Defendant's supervisors and managers  
5 knew or should have known that Plaintiff was working overtime without receiving  
6 all compensation required under the FLSA.

7           19. Upon information and belief, Defendant knew or should have known  
8 that Plaintiff, was often assigned an amount of work that could not be completed in  
9 forty (40) hours per week. Defendant's failure to pay Plaintiff all compensation  
10 owed in a timely manner was therefore reckless and/or willful and intentional.

11           20. Defendant's failure to pay overtime to Plaintiff, was "willful" for the  
12 purposes of 29 U.S.C. § 255(a) because, after having been served written  
13 notification that social workers were working uncompensated overtime by the  
14 Riverside County Civil Grand Jury, Defendant continued to require CSD Social  
15 Workers, including Plaintiff, to complete all tasks assigned without receiving full  
16 compensation for all hours worked as required by the FLSA.

17           21. By reason of Defendants' foregoing conduct, Plaintiff has suffered  
18 harm and been damaged. Plaintiff is therefore entitled to and seeks damages  
19 pursuant to 29 U.S.C. §255(a) in the amount of all unpaid overtime for the  
20 maximum period allowed by law, and inclusive of all applicable tolling periods.  
21 Plaintiff is also entitled to attorney fees, liquidated damages, interest and costs  
22 pursuant to 29 U.S.C. § 216(b), as well as such other legal and equitable relief as  
23 the Court deems just and proper.

24           22. WHEREFORE, Plaintiff requests relief as set forth in this First Claim  
25 for Relief and below.

26 ///

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff SHANE BUNDY prays for the following relief pursuant to *inter alia*, 29 U.S.C. § 216(b):

1. Judgment against Defendants for an amount equal to the overtime Defendants failed to pay at the applicable overtime rate;
2. Liquidated damages in an additional amount equal to the overtime Defendants failed to pay at the applicable overtime rate;
3. Attorney's fees and costs;
4. A finding that Defendants' violations of law were willful pursuant to 29 U.S.C. § 255(a), providing for an extended three-year damages recovery period preceding the date Plaintiff's executed Consent to Sue was filed in the related action *Karrene Phillips et al. v. County of Riverside*, Case No. 5:19-cv-01231;
5. An award of prejudgment interest; and
6. Such further relief as the Court deems just and equitable.

Dated: June 29, 2022

Respectfully submitted,

CUTTER LAW P.C.

By: /s/ John R. Parker, Jr.  
John R. Parker, Jr.

Megan A. Richmond (SBN 170753)  
**MEGAN A. RICHMOND, APC**  
655 West Broadway, Suite 1700  
San Diego, California 92101  
Telephone: (619) 577-4253  
Email: [megan@therichmondfirm.com](mailto:megan@therichmondfirm.com)

C. Brooks Cutter (SBN 121407)  
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401 Watt Avenue  
Sacramento, CA 95864  
Telephone: (916) 290-9440  
Facsimile: (916) 588-9330  
Email: [bcutter@cutterlaw.com](mailto:bcutter@cutterlaw.com);  
Email: [jparker@cutterlaw.com](mailto:jparker@cutterlaw.com);  
Email: [ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)

Moira Kamgar (SBN 141383)  
**MOIRA KAMGAR APC**  
2901 W Coast Hwy, Ste. 200  
Newport Beach, CA 92663  
Telephone: (949) 422-5554  
Email: [moirakamgar@gmail.com](mailto:moirakamgar@gmail.com)

Attorneys for Plaintiff

### **SIGNATURE ATTESTATION**

I hereby attest that I have obtain the authorization from the signatories to this e-filed document and have been authorized to indicate their consent by a conformed signature (/s/) within this e-filed document.

*/s/ John R. Parker, Jr.*  
\_\_\_\_\_  
John R. Parker, Jr.